



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

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F.#2013R00948

*271 Cadman Plaza East  
Brooklyn, New York 11201*

January 12, 2017

**By Hand and ECF**

The Honorable Joseph F. Bianco  
United States District Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

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Re: United States v. Philip Kenner & Tommy Constantine  
Criminal Docket No. 13-607 (JFB)

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Dear Judge Bianco:

The government respectfully requests a brief extension of the due date for the government filings currently due on Friday, January 13, 2017. Due to logistical difficulties in providing the government with access to the exhibits submitted in connection with post-trial motions, the government received access to more than 500 defense exhibits only last week and received additional defense exhibits by email earlier today. However, the government is committed to going forward with oral argument on the Rule 29/33 motions, as scheduled, on February 17, 2017. Accordingly, the government respectfully requests a brief extension of the due date for the government responses to pending motions — from Friday, January 13, 2017 to Tuesday, January 17, 2017. The government does not object to a similarly brief extension of the due date for any defendant replies — from Friday,

February 3, 2017 to Tuesday, February 7, 2017. This schedule would still permit oral argument on the Rule 29/33 motions to go forward, as scheduled, on February 17, 2017.

Respectfully submitted,

ROBERT L. CAPERS  
United States Attorney

By: /s/  
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cc: All counsel of record (by ECF)